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DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

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**MICHIGAN BOARD OF COSMETOLOGY  
RULES COMMITTEE WORK GROUP  
MEETING MINUTES**

**MAY 6, 2019**

The Michigan Board of Cosmetology, Rules Work Group, met on May 6, 2019, at 611 West Ottawa Street, Upper Level Conference Center Room 4, Lansing, Michigan 48933.

**CALL TO ORDER**

Linda Ward, Chairperson, called the meeting to order at 11:34 a.m.

**ATTENDANCE**

**Members Present:** Linda Ward, Chairperson  
Scott Weaver  
Kathryn Wilkinson

**Members Absent:** None

**Staff Present:** Kimmy Catlin, Board Support, Board and Committees Section  
Dena Marks, Policy Analyst, Board and Committees Section  
Rick Roselle, Policy Analyst, Board and Committees Section

**RULES DISCUSSION – A copy of the current rules is attached.**

Roselle explained the timeline and process for rule promulgation. Roselle reminded the public that the Rules Committee will make the final recommendation on the proposed rule changes to the Board.

David Dagenais asked if this is the only opportunity to make comment on the proposed rules.

Roselle advised that there would be additional opportunity to comment on the rules at a formal public hearing that will be noticed under the Administrative Procedures Act (APA). Comments for the APA public hearing can be submitted after notice of the hearing is published until 5:00 p.m. the day of the public hearing.

**R 338.2101 Definitions:**

Roselle asked for comments on the proposed changes.

Betsy Ludwick asked if the change of the definition of (b) "apprenticeship practitioner" meant establishments could not charge a fee for offering apprenticeships.

Roselle advised that if charging for services, they must meet the criteria of a school as stated by statute. Roselle read portions from MCL 339.1205(3): A cosmetology establishment exacting a fee for the teaching of cosmetology or 1 or more services of cosmetology is considered a school of cosmetology. A cosmetology establishment conducting an apprenticeship program without charging a fee for the teaching of cosmetology shall comply with subsection (5).

Roselle clarified that if the establishment charges a fee then it is operating as a school of cosmetology without a license.

Betsy Ludwick expressed concern because they purchase their own supplies and then cannot make profit for using them.

Weaver stated they can become a licensed school and then charge for services rendered.

Wilkinson advised that cosmetologists are also required to purchase supplies.

Betsy Ludwick expressed concern and disagreed with statute.

Roselle informed Ludwick that that Department and the Board have no authority to change statutory requirements and that she should obtain legal counsel for advice regarding the obligations of her establishment.

Katherine Pavlik asked if (j) "practical hours" would be considered as applications or hours.

Roselle explained that the proposed change would calculate the total hours instead of the number of applications.

Weaver explained that the change would balance hours to simplify each area and limit confusion with applications and hours.

The Rules Committee agreed with the proposed changes as presented.

**R 338.2121a Examination requirement; examination administrator; valid score.**

Kathleen Cochran stated that PSI, Inc. (PSI) should not be able to set rates and determine pass or fail.

Roselle stated that the Department contracted with PSI, Inc. to administer several state professional licensure exams.

Dianne Mhlader stated that PSI gives passing rates to individuals and she would like the scores reported by school not just by individuals.

Roselle stated that it only applies to individuals.

The Rules Committee agreed with the proposed changes as presented.

**R 338.2121b License by reciprocity; substantially equal requirements; substituted experience; training obtained outside the United States; unavailable records.**

No public comment was made.

The Rules Committee agreed with the proposed changes as presented.

**R 338.2121c Relicensure requirements.**

No public comment was made.

The Rules Committee agreed with the proposed changes as presented.

**R 338.2127 Change of ownership or relocation; closure; branch facility license.**

David Dagenais expressed concern with branch campuses having to meet the requirements of a school. David stated that it is a waste of space and equipment when a branch facility does not offer services to the public because each classroom is different and is used for teaching different things.

Katherine Pavlik asked how this is possible if one cannot obtain more than one license.

Roselle stated licensees can request duplicates of a license, which can also be obtained online from the Department's new licensing platform MiPlus.

Roselle explained that a school could have more than one premises under a single license. The elimination of the branch facility license will not prevent the teaching of cosmetology at the location that is currently a branch facility as long as it is under a licensed school of cosmetology and satisfies the requirements of the rule.

Roselle advised David Dagenais that his comment is better addressed in the next rule that will be discussed.

The Rules Committee agreed with the proposed changes as presented.

**R 338.2132 School equipment requirement.**

David Dagenais asked why it is necessary to have adequate equipment for work performed on patrons if no work is being performed on the public at the location. He stated he is referring to the current branch facility locations that do not perform services on the public and primarily teach only theory hours.

Roselle asked the Rules Committee if all supplies and tools are needed in the classroom if the public will not be serviced.

Weaver stated what a branch campus entail.

Roselle suggested adding language that states requirements only apply on premises where services are performed on the public.

Kasey Smith asked if this will impact the obtaining of practical hours because if it is not fully equipped, only theory hours could be obtained.

Diane Mhlader questioned if schools already have requirements.

Weaver stated yes, schools have equipment and supply requirements.

Antoinette Lockett stated that maybe defining "premises" can help clarify the rule because one school may have several premises.

Weaver stated that a branch is not recognized on a state level, but it is on a federal level for purposes of financial aid and accreditation. The state requires that all equipment be present.

Roselle stated he will add language that will require the adequate amount of equipment, supplies, and tools necessary for performing services on patrons, if services are performed on the public. Further, he will add language to clarify that if services are not performed on the public, then an adequate amount of equipment, supplies, and tools is necessary for providing the theory and practical training offered on the premises.

The Rules Committee agreed with the proposed rule with the changes as discussed.

**R 338.2133 and R 338.2134 Rescinded.**

David Dagenais felt that eliminating the requirement to submit the student registration fee within 60 days after the student begins instruction is loosening the rules. Schools should submit payment immediately.

Weaver stated they could say payment is due immediately.

Roselle clarified that MCL 339.1214 requires a school upon enrolling a student, or an establishment upon accepting an apprentice, to file an application and pay the fee. The requirement is in statute and is a concurrent requirement that does not allow for the 60-day grace period stipulated by the current rule.

**R 338.2136 Permanent records.**

No public comment was made.

The Rules Committee agreed with the proposed changes as presented.

**R 338.2137 Rescinded.**

No public comment was made.

The Rules Committee agreed with the proposed changes as presented.

**R 338.2138 School and apprenticeship program requirements.**

David Dagenais inquired if this rule means that he needs to submit dates and times for each day as opposed to a total as done in the past.

Roselle advised that the proposed language mirrors the language that is in statute and requirements did not change.

David Dagenais inquired if the total is still acceptable to an inspector.

Weaver stated that it can be provided but to continue to use the form that has been used in the past.

David Dagenais inquired if the language of rule can be changed.

Roselle stated that even if the language of the rule is changed, the statutory language will remain and create a potential conflict.

The Rules Committee agreed with the proposed changes as presented.

**R 338.2139 Rescinded.**

No public comment was made.

The Rules Committee agreed with the proposed changes as presented.

**R 338.2151 Rescinded.**

David Dagenais asked how salons will know what to provide.

Roselle stated that they will still need to refer to statute.

David Dagenais questioned if inspectors only look at statute when inspecting.

Roselle advised that both rules and statute are taken into consideration during the inspection process. Roselle cautioned that the rules are not intended to be the exclusive source of all the obligations of a licensee. There may be other state and federal laws or regulations that are applicable to a licensee.

The Rules Committee agreed with the proposed changes as presented.

**R 338.2153 Rescinded.**

Roselle stated this was rescinded because it is established elsewhere.

No public comment was made.

The Rules Committee agreed with the proposed changes as presented.

**PART 6. CURRICULUM: R 338.2161, R 338.2161a, R 338.2161b, R 338.2162, R 338.2162a, R 338.2163, R 338.2163a, R 338.2163b, R 338.2163c, R 338.2166, R 338.2167, R 338.2168, R 338.2169, R 338.2169a, and R 338.2169b.**

Roselle advised that this aligns curriculum to make transferring of earned hours easier and to allow individuals who obtained training in one curriculum to more easily obtain a cosmetology or specialty license without having to repeat coursework.

Corinthian Carouthers asked how many hours would be transferred to cosmetology.

Roselle stated that it is up to the school to make that determination and is addressed under R 338.2138.

David Dagenais and Cheryl Payton inquired about students going into a specialty program and how this will be considered in terms of transfer.

Roselle stated that it is up to the school and establishment to decide how many hours they will accept during transfer. Roselle cautioned that the specialty licenses and curricula for manicuring, esthetics, and natural hair cultivation should not be construed as advanced licenses that provide a licensee with a higher level of authorization or training than that of a cosmetologist. Under the act a licensed cosmetologist is authorized to perform all of the same services as a specialty license in manicuring, esthetics, and natural hair cultivation.

David Dagenais expressed concern with taking away so many hours from the focus of hair care services training.

Roselle stated he worked on several variances in formulating options for the hours that would align the various curricula as closely as possible. However, he is open to discussing changes. Roselle advised that the Rules Committee may conclude on a formula that does not perfectly align with all of the other curricula, but that it should be as close as possible. Roselle cautioned that the Rules Committee must focus on determining the minimum amount of training necessary for ensuring protection of the public rather than producing the most highly trained applicants.

Roselle asked the Rules Committee for input.

Katherine Pavlik stated that many cosmetologists do not want to do nails and skin.

Roselle explained that a cosmetologist license authorizes a licensee to perform manicuring and skin care services. Therefore, whether an applicant for a cosmetologist license must have the minimum training in those areas, whether or not they wish to practice it.

Weaver stated that minimum requirements on nails and skin still must be met to protect the public.

David Dagenais stated there is an overlap in the area of health and safety.

Roselle cautioned against eliminating hours from health and safety as training in those areas are perhaps the most relevant to protecting the public interest. Roselle suggested that the Rules Committee consider the volume of complaints and violations it reviews as Board members when considering the importance of health and safety training.

Kasey Smith inquired if a separate license for hair, nails, and skin could be required and obtained.

Roselle asked the Rules Committee what the minimum hours they think is needed for an individual to be adequately trained in each area.

Susan Kolar wants the licenses to be separate.

Kaey Smith stated that cosmetologists need to be able to do hair, nails, and skin.

Roselle again asked the Rules Committee what the minimum hours they think is needed for an individual to be adequately trained in each area.

The Rules Committee deliberated to discuss various options.

The Rules Committee modified Table 11 pertaining to the cosmetologist license curriculum as follows:

Health and safety training related to hair care services will be combined with health and safety training related to manicuring services, esthetic services, and natural hair cultivation. It will require 75 theory hours and 125 practical application hours.

Hair care services and natural hair cultivation training will require 200 theory hours and 600 practical application hours.

Esthetic services training will require 100 theory hours and 150 practical application hours.

Manicuring services training will require 100 theory hours and 150 practical application hours.

No further adjustments to the specialty services or instructor training curriculums in the subsequent curriculum tables will be made.

Weaver asked if new curriculum requirements will be sent to licensees.

Roselle stated that they need an implementation date or timeframe and that email blasts will be sent to licensees after the rules are effective. Roselle clarified that the rules will not go in effect until after a formal public hearing has been noticed under the APA and after the rules approved by MOAHR and the Legislature's Joint Committee on Administrative Rules.

The Rules Committee questioned what an adequate timeframe is for requiring the changes in the curriculum.

Weaver explained that 1 year was adequate.

Roselle explained that a 1-year timeframe would be preferential from a rule drafting prospective and he would change the date-specific language in the rules to 1-year after promulgation of the rules.

The Rules Committee agreed with the proposed rule with the changes as discussed.

### **R 338.2171 Establishment and school requirements.**

No public comment was made.

The Rules Committee agreed with the proposed changes as presented.



**R 338.2171a Disinfecting and sterilizing requirements; non-electrical and electrical tools; towels, capes, and neck strips; chairs, headrests, tables, and beds; semi-solid substances; pedicuring basins; shampoo basins; dusters and brushes.**

No public comment was made.

The Rules Committee agreed with the proposed changes as presented.

**R 338.2171b Patron protection.**

Kathy Plavik asked about submerging certain electrology tools in sanitizer and why it is not in the rule.

Roselle stated it is addressed under R 338.2171a(1).

The Rules Committee agreed with the proposed changes as presented.

**R 338.2173, R 338.2176, R 338.2178, R 338.2179, R 338.2179a, R 338.2179b, R 338.2179c, R 338.2179d, R 338.2179f Rescinded.**

Lisia Walch asked why everything was rescinded except electrology in R 338.2179d. Lisia Walch stated this is too broad.

Roselle advised these rules were being rescinded because the requirements they addressed are under R 338.2171, R 338.2171a, and R 338.2171b.

The Rules Committee agreed with the proposed changes as presented.

**R 338.2179g Student, apprentice, and licensee; prohibitions.**

Kathy Pavlik asked why clipper and tools cannot be used on face if they are needed for eyebrows.

Susan Kolar asked if language can be changed.

Marsha Rowry recommended say "excluding the scalp".

The Rules Committee agreed with the proposed rule with changes as discussed.

**R 338.2179h Rescinded.**

No public comment was made.

The Rules Committee agreed with the proposed changes as presented.

Roselle asked the public if they have additional comments or concerns for any of the rules previously discussed today.

Dianne Mhlader questioned when changes take effect.

Roselle advised after rule promulgation and explained the rule promulgation process.

## **ADJOURNMENT**

The meeting adjourned at 2:33 p.m.

Prepared by:  
Kimmy Catlin, Board Support  
Bureau of Professional Licensing

May 13, 2019

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

COSMETOLOGY – GENERAL RULES

Filed with the Secretary of State on

These rules take effect immediately upon filing with the secretary of state unless adopted under sections 33, 44, or 45a(6) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the secretary of state.

(By authority conferred on the department of licensing and regulatory affairs by sections ~~205-308, and 1203, and 1205~~ of the occupational code, 1980 PA 299, **MCL 339.205, MCL 339.308, and 339.1203, and 339.1205**; and on the board of cosmetology by sections **308 and 1203 of the occupational code, 1980 PA 299, MCL 339.308 and 339.1203**; and by Executive Reorganization Order Nos. **1991-9, 1996-2, 2003-1, 2008-4, and 2011-4, MCL 338.3501, MCL 445.2001, MCL 445.2011, MCL 445.2025, and MCL 445.2030.**)

R 338.2101, R 338.2127, R 338.2132, R 338.2136, R 338.2138, R 338.2161, R 338.2162, R 338.2163, R 338.2163a, R 338.2163b, R 338.2163c, R 338.2166, R 338.2167, R 338.2168, R 338.2169, R 338.2171, and R 338.2179g of the Michigan Administrative Code are amended, R 338.2121a, R 338.2121b, R 338.2121c, R 338.2169a, R 338.2169b, R 338.2171a, and R 338.2171b are added, and R 338.2131, R 338.2133, R 338.2134, R 338.2137, R 338.2139, R 338.2151, R 338.5153, R 338.2161a, R 338.2161b, R 338.2162a, R 338.2173, R 338.2176, R 338.2178, R 338.2179, R 338.2179a, R 338.2179b, R 338.2179c, R 338.2179d, R 338.2179f, and R 338.2179h are rescinded, as follows:

PART 1. GENERAL PROVISIONS

R 338.2101 Definitions.

Rule 1. As used in these rules:

(a) "Act" means **the occupational code, 1980 PA 299 MCL 339.101 to 339.2919.**

(b) "Apprenticeship ~~practitioner program~~" means a ~~licensee who is approved by the department and who is engaged in training an apprentice within an establishment.~~ **licensed cosmetology establishment that is teaching cosmetology to an apprentice without charging a fee.**

(c) "Autoclave" means a device registered and listed as an autoclave or dry-heat sterilizer with the United States Food and Drug Administration.

~~(e)~~(d) "Blade" means a flat or curved implement designed for cutting including, but not limited to, implements commonly referred to as razors, callus shavers, graters, and credo blades intended to cut or shave growths of skin on the hands and feet.

April 12, 2019

(e) "Clean or cleaned" means an item that was disinfected or sterilized pursuant to R 338.2171a or a new and unused single-use item.

(f) "Disinfectant" means a substance, or mixture of substances, that is registered as a disinfectant by the United States Environmental Protection Agency (EPA).

~~(d) (g) "Dry sanitizer" means a closed cabinet or container that holds a fumigant chemical sanitizing agent.~~ "Equivalent," means the passing of a standard examination which is equal to or greater than the required grade level. If there is no grade equivalency test available, the department shall accept a statement from a school administrator indicating that the person has potentially and scholastically achieved the required grade.

(h) "Establishment" means a cosmetology establishment as defined under section 1201(e) of the act, MCL 339.1201(e).

(i) "Patron" means an individual receiving a cosmetology service whether or not the individual intends to pay for the service.

~~(e)-(j) "Minimum practical application- Practical hours" means a-the hours spent performing practical applications service performed on a mannequin, student, or patron.~~

~~(k)~~ (k) "Reactive chemicals" means, but is not limited to, any of the following:

(i) Permanent wave solutions.

(ii) Relaxers.

(iii) Temporary, semipermanent, or permanent hair colorings.

(iv) Hair lighteners.

(v) Acids.

(vi) Bases.

(vii) Creams.

(viii) Fluids.

(ix) Any other preparation designed to modify or rearrange the structure of the hair, skin, or nails.

(l) "School" means a school of cosmetology licensed under section 1205 of the act, MCL 339.1205, which may include a school of cosmetology with a license limited only to the teaching of electrology.

(m) "Specialty license" means an electrologist license, esthetician license, manicurist license, or natural hair cultivation license.

(n) "Specialty services" means services pertaining to electrology, skin care services, manicuring, or natural hair cultivation.

(o) "Sterilant" means a substance, or mixture of substances, that is registered as a sterilant by the EPA.

~~(g)-(p) "Wet sanitizer" means a container that holds a liquid chemical sanitizing agent.~~ covered container filled with a liquid substance, or mixture of liquid substances, that is registered as a disinfectant or sterilant by the EPA.

## PART 2. LICENSES AND PERMITS

**R 338.2121a Examination requirement; examination administrator; valid score.**

**Rule 21a. (1) An applicant for a cosmetologist license, specialty license, or instructor license, in addition to meeting all the requirements of the act, shall pass the examination required for the license pursuant to Table 21a.**

(2) The examination shall be administered by a third party chosen by the department.

(3) A passing score as determined by the party chosen to administer the examination shall be required. The passing score shall be valid for not more than 1 year from the date the examination.

**TABLE 21a**

	<b>License Type</b>	<b>Required Examination</b>
(a)	<b>Cosmetologist</b>	<b>Cosmetologist theory Cosmetologist practical</b>
(b)	<b>Electrologist</b>	<b>Electrologist theory Electrologist practical</b>
(c)	<b>Esthetician</b>	<b>Esthetician theory Esthetician practical</b>
(d)	<b>Manicurist</b>	<b>Manicurist theory Manicurist practical</b>
(e)	<b>Natural hair culturist</b>	<b>Natural hair culturist theory Natural hair culturist practical</b>
(f)	<b>Instructor</b>	<b>Cosmetology instructor theory</b>

**R 338.2121b License by reciprocity; substantially equal requirements; substituted experience; training obtained outside the United States; unavailable records.**

**Rule 21b. (1) An individual who is licensed to perform cosmetology services in another state may apply for a cosmetology license or specialty license by reciprocity under this rule.**

**(2) An applicant for a license by reciprocity, in addition to meeting all the requirements under section 1211 of the act, MCL 339.1211, shall submit an application on a form provided by the department, pay the required fee, and satisfy all of the following requirements:**

**(a) Establish that he or she has an education equivalent to the completion of the 9<sup>th</sup> grade.**

**(b) Hold an active license or registration from another state that authorizes him or her to perform a cosmetology service in that state and arrange for the agency responsible for issuing the license or registration to submit to the department verification of the license or registration.**

**(c) Provide proof of any name change, if the name on the application does not match the name shown on the submitted documents.**

**(d) Demonstrate that the licensure or registration requirements of the state in which he or she is authorized to perform cosmetology services are substantially equal to the requirements for licensure under the act and these rules.**

**(3) Another state's requirements are considered substantially equal to the requirements of a cosmetologist license if both of the following conditions are satisfied:**

(i) The state requires an applicant for a license or registration to perform cosmetology services to pass an examination pertaining to cosmetology as a condition for licensure or registration in that state.

(ii) The state requires an applicant to receive not less than 1,500 hours of prelicensure training as a student in cosmetology services or not less than 2 years of prelicensure training as an apprentice in cosmetology services.

(4) Another state's requirements are considered substantially equal to the requirements of a specialty license if both of the following conditions are satisfied:

(a) The state requires an applicant for a license or registration to perform a specialty service to pass an examination pertaining to the specialty service as a condition for licensure or registration in that state.

(b) The state requires an applicant to receive not less than 400 hours of prelicensure training as a student in the services for which the applicant seeks a specialty license or not less than 6 months of prelicensure training as an apprentice in the services for which the applicant seeks a specialty license.

(5) Pursuant to section 1211(2) of the act, MCL 339.1211(2), the hours of prelicensure training required under the act and these rules may be substituted with work experience at a ratio of 100 hours of training for each 6 months of work experience. To receive credit, the applicant shall attest on a form provided by the department that he or she was employed for a period of time equal to the number of hours of training required for the license.

(6) An applicant who received training or experience outside of the United States shall have documentation provided directly to the department from an educational institution verifying his or her training and experience. Documentation that is provided in a language other than English shall include a copy in English that is translated and notarized by an embassy or professional translation service.

(7) If the educational records are unavailable from the country in which an applicant received training, he or she shall provide all of the following:

(a) A notarized affidavit stating the total number of years of education he or she received, name of all the schools he or she attended and the degree or training he or she received, including the courses taken, grades received, and if applicable, names of each former employer.

(b) A notarized statement from a government official of the country in which the records are unavailable testifying to the unavailability of his or her records.

#### **R 338.2121c Relicensure requirements.**

Rule 21c. (1) An applicant whose cosmetologist or specialty license has lapsed for less than 3 years after the expiration date of the last license may be relicensed under section 411(3) of the act, MCL 339.411(3), after submitting a completed application on a form provided by the department and the required fee.

(2) An applicant whose cosmetologist or specialty license has lapsed for 3 or more years after the expiration date of the last license may be relicensed under section 411(4) of the act, MCL 339.411(4), after submitting a completed application on a form provided by the department, the required fee, and satisfying both of the following requirements:

(a) Establish that he or she satisfies all the licensure requirements under the act.

(b) Satisfy one of the following:

(i) Pass the examination required for the applicable license pursuant to Table 21a under R 338.2121a within a 1-year period immediately preceding the date of the relicensure application.

(ii) Establish that he or she satisfies the requirements for a reciprocal license under R 338.2121b.

R 338.2127 Change of ownership or relocation; closure; **branch facility license.**

Rule 27. (1) **Pursuant to section 1204(5) and 1205(6) of the act, MCL 339.1204(5) and 339.1205(6), the transfer of ownership or location of an establishment or school voids the license.** If an establishment or school, **including a branch facility,** changes ownership or location, ~~including any branch facility to the current location,~~ the parties involved shall inform the department of the change, in writing, ~~within 30 calendar days~~ **prior to any change.** ~~A new application showing the new ownership or the new location, together with the applicable fees and a copy of the existing license shall be filed with the department.~~

(2) Before a school **or establishment** is closed, ~~or~~ changes ownership, **or changes location,** the ~~school department or establishment~~ shall be notified, in writing, and shall be furnished with **provide the department with** a copy of the school's enrolled student records of examinations, credit hours, and minimum practical applications **each student's or apprentice's record. Each record shall include all of the information required under R 338.2136.**

(3) Branch facilities where training by a cosmetology school is conducted in a physical location apart from the main school premises, may be approved by the department if the branch facility meets the following criteria:

(a) Is not used for training students until the department has approved the use of the facility, based upon school need.

(b) Meets all requirements for Michigan cosmetology schools, except that it shall not include a full-service facility and shall not offer clinic services to the public.

(c) Provides for proper supervision of students.

(d) Is submitted for approval on an application ~~prescribed~~ **provided** by the department, to include, at a minimum, both of the following:

(i) The complete address of the premises to be licensed.

(ii) A current, detailed floor plan, not larger than 8 1/2 by 11 inches, of the proposed premises, showing arrangement of the classroom, placing of equipment, entrances, exits, and a statement of the purpose for which the premises will be used.

**(4) Beginning 60 days after the promulgation of this rule, the department shall not accept an application for an initial branch facility license.**

**(5) Beginning November 2, 2020, the department shall not grant a renewal of a branch facility license.**

**(6) Beginning November 2, 2020, a branch facility license shall become void on the expiration date of the license and shall not operate without obtaining a school of cosmetology license.**

**(7) A school whose licensure application involved the approval of more than one premises shall satisfy all of the following requirements:**

(a) Display a copy of the school license at each premises in a prominent place that is always visible to the public.

(b) Display a copy of the license of each instructor that works for the school, whether or not the instructor works on the premises. The license shall be in a prominent place that is always visible to the public.

(c) Provide the department with the address of each premises and identify the primary address at which to receive correspondence from the department.

### PART 3. GENERAL TRAINING ADMINISTRATION

R 338.2131 "Equivalent" defined; proof of educational grade equivalency. **Rescinded.**

~~Rule 31. "Equivalent," as used in the act when referring to educational grade levels, means the passing of a standard examination which is equal to or greater than the required grade level. If there is no grade equivalency test available, the department shall accept a statement from a school administrator indicating that the person has potential and scholastic achievement equal to the required grade.~~

R 338.2132 School and apprentice training program **equipment** requirement.

~~Rule 32. (1) A school or apprenticeship practitioner shall have all of the following items:~~

~~(a) Instructional visual aids for teaching the prescribed curriculum.~~

~~(b) One bulletin board in the student or apprentice area.~~

~~(c) (a) Seating facilities for patrons.~~

~~(d) (b) One chair that has writing facilities for each attending student or apprentice.~~

**An adequate number of chairs and adequate desk space to meet the needs of each student attending.**

~~(e) (c) Sufficient practical training stations and equipment so that students or apprentices are not required to share a station or equipment during practical training periods. **An adequate amount of equipment, supplies, and tools necessary for performing services on patrons in compliance with the requirements under part 7 of these rules.**~~

~~(f) (d) A shampoo bowl installed in a classroom other than the main clinic classroom, unless a limited school of electrology.~~

~~(g) Adequate space per attending student for theory or non-practical classroom training.~~

~~(h) A chalkboard or the equivalent of sufficient size to be seen from the back of the room in which it is used.~~

R 338.2133 Credit of school hours to apprenticeship training prohibited; credit of ~~apprenticeship training to school training prohibited.~~ **Rescinded.**

~~Rule 33. (1) School credit hours shall not be credited to apprenticeship training.~~

~~(2) Apprenticeship months of training shall not be credited to school credit hours.~~

R 338.2134 Enrollment. **Rescinded.**



~~Rule 34. (1) A school shall report the enrollment of a student and submit the registration fee to the department within 60 days after the student begins a course of instruction.~~

~~(2) A student requesting hours from a previous enrollment shall pass practical and theory examinations on the subject areas previously studied and submit the previous hours to the new school before attending the new school. The school shall notify the department of the number of hours accepted and the number of minimum practical applications verified for any student who has hours from previous training.~~

~~(3) A student shall not be granted credit for more hours than are verified by the school of previous enrollment.~~

R 338.2136 Permanent records.

Rule 36. (1) A school or apprenticeship ~~practitioner~~ **program** shall keep ~~permanent~~ **complete** records of students or apprentices. The ~~permanent~~ records shall be maintained for not less than 7 years after the last date of attendance of the student or apprentice.

(2) The records shall be available to the department upon request and shall include all of the following information:

(a) A summary of the attendance record.

(b) A summary of the **practical hours and theory** hours of training **that were completed by the student or apprentice**, including the **subjects and number of minimal practical-applications hours and theory hours that were credited under R 338.2138(4) and (5).**

(c) The date of the enrollment and the last date of attendance.

(d) The final grades.

(e) A copy of the contract **that is required under section 1205(2)(f) of the act, MCL 339.1205(2)(f).**

R 338.2137 Student and apprentice supplies. ~~Rescinded.~~

~~Rule 37. (1) A school or apprenticeship practitioner shall furnish a copy of the act and these rules to each student or apprentice.~~

~~(2) All necessary materials, equipment, and supplies shall be furnished to students or apprentices for work performed on the public. The contract between the school or apprenticeship practitioner and the student or apprentice shall contain a list of any charges for additional materials, supplies, or equipment other than that required to adequately train students or apprentices under the prescribed curriculum.~~

R 338.2138 ~~Theory instruction.~~ **School and apprenticeship program requirements.**

Rule 38. ~~Theory shall be taught throughout a course as applied to practical training under §1205(5)(c) of the act.~~ **(1) A school or apprenticeship program, in addition to meeting all the requirements of the act and these rules, shall satisfy all of the following:**

**(a) Submit a monthly report to the department that contains the daily record of attendance of each student or apprentice.**

**(b) Establish a system of grades for the advancement of training in each curriculum.**

(c) Require a student or apprentice to pass at least one examination based on the curriculum in which the student or apprentice is enrolled.

(d) Certify on a form provided by the department that the student or apprentice has completed the training in the curriculum under part 6 of these rules in which he or she is enrolled. A school or apprenticeship program that grants transfer credit under subrules (4) and (5) of this rule shall identify on the form the subjects and number of theory and practical hours that it granted transfer credit to a student or apprentice. Theory shall be taught throughout a course as applied to practical training under §1205(5)(c) of the act.

(e) Notify the department in writing when a student's or apprentice's training is terminated prior to completion of the training program.

(2) Beginning August 1, 2020, each school licensed under the act shall provide instruction in not less than both of the following:

(a) The cosmetology curriculum pursuant to Table 11 under R 338.2169a.

(b) The cosmetology instructor and cosmetology limited instructor curriculum pursuant to Table 16 under R 338.2169b.

(3) An establishment conducting an apprenticeship program shall display its apprenticeship program permit in a prominent place that is visible to the public at all times.

(4) A school may transfer credit of hours a student has previously earned in a school of cosmetology toward the completion of a curriculum under part 6 of these rules, if the school determines that the previously earned hours are substantially similar to the hours required under the applicable curriculum. A school shall have the discretion for determining whether to grant credit.

(5) An apprenticeship program may transfer credit of hours an apprentice has earned in an apprenticeship program toward the completion of a curriculum under part 6 of these rules, if the apprenticeship program determines that the previously earned hours are substantially similar to the hours required under the applicable curriculum. An apprenticeship program shall have the discretion for determining whether to grant credit.

(6) A school shall not transfer credit of hours that were earned in an apprenticeship program. An apprenticeship program shall not transfer credit of hours that were earned as a student.

**R 338.2139 Board examination Rescinded.**

~~Rule 39. (1) To be eligible to take the state board examination, a student or apprentice shall satisfactorily complete the course of study and shall pass a final examination on each subject with a score of not less than 75%.~~

~~-(2) A school or apprenticeship practitioner shall provide certification, to the department or its designees, that the student or apprentice has completed all requirements before the student or apprentice applies for the state board examination.~~

~~-(3) An applicant for a cosmetology, electrology, limited, or specialty instructor license may be granted a partial waiver of the instructor examination if the applicant currently possesses a different cosmetology, electrology, limited, or specialty instructor license. The applicant shall complete the practical portion of the instructor examination in the area of the new instructor license for which he or she applies.~~

~~-(4) A passing score on an examination, or on a portion of an examination if the examination is given in separate parts, shall be valid for 1 year from the date the examination or portion of the examination was passed, except as provided in subrule (3) of this rule.~~

#### PART 5. APPRENTICE TRAINING PROGRAMS

R 338.2151 Application for apprenticeship. **Rescinded.**

~~Rule 51. (1) A licensee who has had not less than 3 years of experience as a licensed cosmetologist, electrologist, natural hair culturist, esthetician, or manicurist may submit an application to the department to train an apprentice.~~

~~-(2) The application shall include the following information:~~

~~-(a) A floor plan of the establishment.~~

~~-(b) A list of equipment to be used in training the apprentice.~~

~~-(c) A list of the books that will be used to teach theory.~~

~~-(d) A copy of the licensee's contract with the apprentice showing the curriculum to be taught and the minimum number of hours per month that the apprentice must attend. The contract shall include written agreements to do all of the following:~~

~~-(i) Personally train the apprentice.~~

~~-(ii) Give and correct examinations.~~

~~-(iii) Render a grade in each subject of the curriculum.~~

~~-(iv) Submit the apprentice's hours to the department monthly.~~

~~-(3) An apprentice shall not practice on the public before meeting the requirements of section 1205(5)(c) of the act. An apprentice practicing outside an approved apprenticeship establishment may be ineligible to take the state board examination.~~

~~-(4) An apprentice shall be in training throughout the period of the program and shall have received an average of not less than 80 hours of instruction per month.~~

~~-(5) An apprentice's registration permit shall be conspicuously displayed in the establishment.~~

~~-(6) The apprenticeship practitioner shall provide certification to the department or the department's designee that the apprentice has completed all requirements before applying for the state board examination.~~

R 338.2153 Apprenticeship program examinations and grades. **Rescinded.**

~~Rule 53. (1) A licensee that trains a cosmetology apprentice shall give the apprentice an examination every 6 months.~~

~~-(2) A licensee that trains an electrology, manicuring, esthetician, or natural hair culturist apprentice shall give the apprentice an examination every 3 months.~~

#### PART 6. CURRICULUM

R 338.2161 Cosmetology curriculum.

~~Rule 61. A school or apprenticeship practitioner shall provide instruction in cosmetology pursuant to the following table: Students and apprentices who were enrolled before August 1, 2020, in the study of cosmetology shall complete a curriculum pursuant to the following table:~~

TABLE 1

Subject	Theory Hours	Practical Hours	Unassigned Hours	Total Hours	Minimum Practical Applications
Sanitation/ <del>and</del> patron protection.  Laws and rules.  Personal hygiene.  Salon management.  Mechanical and electrical equipment safety.	90	40	0	130	585 (Sanitation and patron protection shall be included in all services)
Facials.  Skin analysis and care.  Manipulation, massage, electricity.  Removal of hair by the use of wax, tweezers, or depilatories.  Makeup and eyebrow arch.	35	80	0	115	40 (a minimum of 5 services in each category)
Hairdressing.  Arranging, cutting, dressing, curling, pressing, artificial hair <del>and</del> finger waving, <b>and</b> natural hair cultivation.	125	400	0	525	300 (a minimum of 20 services in each category)
Scalp and hair	10	15	0	25	30

treatments.					
<b>Hair coloring</b> <del>Temporary Semi</del> <del>permanent</del> <b>Permanent</b> <b>Temporary, semi-</b> <b>permanent, and</b> <b>permanent hair</b> <b>coloring.</b>  Bleaching and dimensional coloring. Color mixing.	40	170	0	210	80 (a minimum of 8 services in each category)
Chemical hair restructuring.  Permanent waving.  Straightening and relaxing.	40	180	0	220	80 (a minimum of 15 services in each category)
Applied chemistry/ <b>and</b> occupational safety and health administration as related to skin, hair, nails, and scalp.	20	10	0	30	5
Applied anatomy, physiology, and histology of the human head, hands, nails, skin and hair.	45	0	0	45	0
Manicuring/ <b>and</b> pedicuring.	15	55	0	70	35
Artificial nails.	5	15	0	20	5
Unassigned hours.	0	0	110	110	0
Totals	425	965	110	1500	1160

R 338.2161a ~~Crossover hours; manicuring.~~ **Rescinded.**

~~Rule 61a. A student, before enrolling in a cosmetology curriculum in a licensed school of cosmetology, may be granted a maximum of 70 hours toward completion of the curriculum if the student provides proof to the school of successful completion of a curriculum in manicuring in a licensed school of cosmetology within the previous 3 years. A student, before enrolling in a cosmetology apprenticeship program, may be granted a maximum of 70 hours toward completion of the curriculum if the student provides proof to the practitioner of successful completion of an apprenticeship program approved by the department in manicuring within the previous 3 years.~~

R 338.2161b ~~Crossover hours; esthetics.~~ **Rescinded.**

~~Rule 61b. A student, before enrolling in a cosmetology curriculum in a licensed school of cosmetology, may be granted a maximum of 115 hours toward completion of the curriculum if the student provides proof to the school of successful completion of a curriculum in esthetics in a licensed school of cosmetology within the previous 3 years. A student, before enrolling in a cosmetology apprenticeship program, may be granted a maximum of 115 hours toward completion of the curriculum if the student provides proof to the practitioner of successful completion of an apprenticeship program approved by the department in esthetics within the previous 3 years.~~

R 338.2162 Manicuring curriculum.

Rule 62. A school or apprenticeship practitioner shall provide instruction in manicuring pursuant to the following table: **Students and apprentices who were enrolled before August 1, 2020, in the study of manicuring shall complete a curriculum pursuant to the following table:**

TABLE 2

Subject	Theory Hours	Practical Hours	Unassigned Hours	Total Hours	Minimum Practical Applications
Sanitation/ and patron protection. Laws and rules. Personal hygiene. Salon management. Mechanical and electrical equipment safety.	50	50	0	100	100 (Sanitation and patron protection shall be included in all services)
Anatomy and	25	0	0	25	0

disorders.					
Artistic principles.	10	0	0	10	0
Manicuring/ and pedicuring techniques.	20	50	0	70	40
Chemistry/ and occupational safety and health administration	15	0	0	15	0
Artificial nails/, extensions/, and repairs.	25	105	0	130	50
Unassigned hours.	0	0	50	50	0
Totals	145	205	50	400	190

**R 338.2162a Crossover hours. Rescinded.**

~~Rule 62a. A student, before enrolling in a manicuring curriculum in a licensed school of cosmetology, may be granted a maximum of 70 hours toward completion of the curriculum if the student provides proof to the school of successful completion of a curriculum in cosmetology at a licensed school of cosmetology within the previous 3 years. A student, before enrolling in a manicuring apprenticeship program, may be granted a maximum of 70 hours toward completion of the curriculum if the student provides proof to the practitioner of successful completion of an apprenticeship program approved by the department in cosmetology within the previous 3 years.~~

**R 338.2163 Electrology curriculum.**

~~Rule 63. An electrology school or apprenticeship practitioner shall provide instruction in electrology pursuant to the following table:~~ **Students and apprentices who were enrolled before August 1, 2020, in the study of electrology shall complete a curriculum pursuant to the following table:**

TABLE 3

Subject	Theory Hours	Practical Hours	Unassigned hours	Total Hours	Minimum Practical Applications
Sanitation/ and patron protection.	40	10	0	50	160 (Sanitation and patron

Laws and rules. Personal hygiene. Salon management.					protection shall be included in all services)
Applied anatomy, physiology, and histology.	25	0	0	25	0
Applied electrolysis. Mechanical and electrical equipment safety. Techniques.	25	250	0	275	150
Unassigned hours.	0	0	50	50	0
Totals	90	260	50	400	310

R 338.2163a Esthetics curriculum.

Rule 63a. (1) ~~A school or apprenticeship practitioner shall provide instruction in skin care service pursuant to the following table:~~ **Students and apprentices who were enrolled before August 1, 2020, in the study of esthetics shall complete a curriculum pursuant to the following table:**

TABLE 4

Subject	Theory Hours	Practical Hours	Unassigned Hours	Total Hours	Minimum Practical Applications
Sanitation/ <b>and</b> patron protection. Laws and rules. Personal hygiene. Salon management.	25	25	0	50	90 (sanitation and patron protection shall be included in all services)



Mechanical and electrical equipment safety.	25	25	0	50	15
Anatomy and disorders.	40	0	0	40	0
Artistic principles/ <b>and</b> makeup.	20	20	0	40	0
Facial/ <b>and</b> skin care techniques.	20	125	0	145	50
Chemistry/ <b>and</b> occupational safety and health administration.	15	0	0	15	0
Temporary removal of hair.	5	5	0	10	5
Unassigned hours.	0	0	50	50	0
Totals	150	200	50	400	160

(2) A student, before enrolling in an esthetics curriculum in a licensed school of cosmetology, may be granted a maximum of 115 hours toward completion of the curriculum if the student provides proof to the school of successful completion of a curriculum in cosmetology at a licensed school of cosmetology within the previous 3 years. A student before enrolling in an esthetics apprenticeship program, may be granted a maximum of 115 hours toward completion of the curriculum if the student provides proof to the practitioner of successful completion of an apprenticeship program approved by the department in cosmetology within the previous 3 years.

R 338.2163b Natural hair cultivation curriculum.

Rule 63b. A school or apprenticeship practitioner may provide instruction in natural hair cultivation pursuant to the following table: **Students and apprentices who were enrolled before August 1, 2020, in the study of natural hair cultivation shall complete a curriculum pursuant to the following table:**

TABLE 5

Subject	Theory Hours	Practical Hours	Unassigned Hours	Total Hours	Minimum Practical Applications
Sanitation/ <b>and</b> patron protection.  Laws and rules.  Personal hygiene. Salon management.  Equipment safety.	25	25	0	50	50 (sanitation and patron protection shall be included in all services)
Anatomy and disorders.	25	0	0	25	0
Artistic principles.	30	0	0	30	0
Braiding techniques/ <b>and</b> extensions.	40	215	0	255	40
Occupational safety and health administration.	5	0	0	5	0
Unassigned hours.	0	0	35	35	0
Totals	125	240	35	400	90

338.2163c Cosmetology instructor curriculum.

Rule 63c. (1) ~~In training a cosmetology instructor, a school shall give instruction pursuant to the following table:~~ **Students who were enrolled before August 1, 2020, in the study of cosmetology instructor shall complete a curriculum pursuant to the following table:**

TABLE 6

Subject	Theory Hours	Practical Hours	Total Hours	Minimum practical applications
Orientation and review of the cosmetology curriculum.	25	50	75	20

Introduction to teaching.	30	0	30	0
Course outlining and development.	80	85	165	20 (a minimum of 5 services in each category)
Lesson planning.				
Teaching techniques.				
Teaching aids.				
Developing, administering, and grading examinations.				
Laws and rules.	15	10	25	70
Record keeping.				
School administration.				
Teaching.	0	75	75	15
Assisting in the clinic and theory classrooms.				
Practice teaching in the clinic and theory classrooms.	0	130	130	25
Totals	150	350	500	150

~~(2) A student, before enrolling in a cosmetology instructor curriculum, may be granted a maximum of 300 hours toward completion of the curriculum if the student provides proof to the school of both of the following:~~

~~(a) Successful completion of a curriculum in any limited specialist instructor curriculum.~~

~~(b) Possession of a current limited specialist instructor license.~~

R 338.2166 Electrology instructor curriculum.

Rule 66. ~~In training an electrology instructor, a school shall give instruction pursuant to the following table:~~ **Students who were enrolled before August 1, 2020, in the study of electrology instructor shall complete a curriculum pursuant to the following table:**

TABLE 7

Subject	Theory Hours	Practical Hours	Total Hours	Minimum Practical Applications
Orientation and review of the curriculum.	10	15	25	10
Introduction to teaching.	30	0	30	0
Course outlining and development. Lesson planning. Teaching techniques. Teaching aids. Developing, administering, and grading examinations.	80	85	165	20 (a minimum of 5 services in each category)
Laws and rules. Record keeping. School administration.	15	10	25	40
Teaching. Assisting in the clinic and theory classrooms. Practice teaching in the clinic and theory classrooms.	0	55	55	15
Totals	135	165	300	85

R 338.2167 Limited specialist manicuring instructor curriculum.

Rule 67. ~~In training a limited specialist manicuring instructor, a school shall give instruction pursuant to the following table:~~ **Students who were enrolled before August 1, 2020, in the study of limited specialist manicuring instructor shall complete a curriculum pursuant to the following table:**

TABLE 8

Subject	Theory Hours	Practical Hours	Total Hours	Minimum Practical Applications
Orientation and review of the curriculum.	10	15	25	10
Introduction to teaching.	30	0	30	0
Course outlining and development. Lesson planning. Teaching techniques. Teaching aids. Developing, administering, and grading examinations.	80	85	165	20 (a minimum of 5 services in each category)
Laws and rules. Record keeping. School administration.	15	10	25	40
Teaching. Assisting in the clinic and theory classrooms. Practice teaching in the clinic and theory classrooms.	0	55	55	15
Totals	135	165	300	85

R 338.2168 Limited specialist skin care instructor curriculum.

Rule 68. ~~In training a limited specialist skin care instructor, a school shall give instruction pursuant to the following table:~~ **Students who were enrolled before August 1, 2020, in the study of limited specialist skin care instructor shall complete a curriculum pursuant to the following table:**

TABLE 9

Subject	Theory Hours	Practical Hours	Total Hours	Minimum Practical Applications
Orientation and review of the curriculum.	10	15	25	10
Introduction to teaching.	30	0	30	0
Course outlining and development. Lesson planning. Teaching techniques. Teaching aids. Developing, administering, and grading examinations.	80	85	165	20 (a minimum of 5 services in each category)
Laws and rules. Record keeping. School administration.	15	10	25	40
Teaching. Assisting in the clinic and theory classrooms. Practice teaching in the clinic and theory classrooms.	0	55	55	15
Totals	135	165	300	85

R 338.2169 Limited specialist natural hair culturist instructor curriculum.

Rule 69. ~~In training a limited specialist natural hair culturist instructor, a school may give instruction pursuant to the following table:~~ **Students who were enrolled before August 1, 2020, in the study of limited specialist natural hair culturist instructor shall complete a curriculum pursuant to the following table:**

TABLE 10

Subject	Theory Hours	Practical Hours	Total Hours	Minimum Practical Applications
Orientation and review of the curriculum.	10	15	25	10 (Sanitation and patron protection shall be included in all services)
Introduction to teaching.	30	0	30	0
Course outlining and development. Lesson planning. Teaching techniques. Teaching aids. Developing, administering, and grading examinations.	80	85	165	20 (a minimum of 5 services in each category)
Laws and rules. Record keeping. School administration.	15	10	25	40
Teaching. Assisting in the clinic and theory classrooms. Practice teaching in the clinic and theory classrooms.	0	55	55	15
Totals	135	165	300	85

**R 338.2169a Cosmetologist, esthetician, electrologist, manicurist, and natural hair culturist curriculum.**

**Rule 69a. (1) Students and apprentices who are enrolled on or after August 1, 2020, in the study of cosmetology shall complete a curriculum pursuant to the following table:**

**TABLE 11**

	<b>Subject</b>	<b>Theory Hours</b>	<b>Practical Application Hours</b>	<b>Total Hours</b>
<b>(a)</b>	<b>Health and safety related to hair care services and natural hair cultivation that include the following topics:</b> <b>(i) Anatomy and physiology.</b> <b>(ii) Chemical safety.</b> <b>(iii) Diseases and disorders.</b> <b>(iv) Laws and Rules.</b> <b>(v) Occupational safety.</b> <b>(vi) Personal Hygiene.</b> <b>(vii) Sanitation.</b> <b>(viii) Equipment, supply, and tool safety.</b>	<b>50</b>	<b>50</b>	<b>100</b>
<b>(b)</b>	<b>Hair care services and natural hair cultivation that include the following topics:</b> <b>(i) Arranging.</b> <b>(ii) Artificial Hair.</b> <b>(iii) Bleaching.</b> <b>(iv) Cleansing.</b> <b>(v) Curling.</b> <b>(vi) Cutting.</b> <b>(vii) Coloring and bleaching.</b> <b>(viii) Dressing.</b> <b>(ix) Perming.</b> <b>(x) Relaxing.</b> <b>(xi) Singeing.</b> <b>(xii) Straightening.</b> <b>(xiii) Tinting.</b> <b>(xiv) Waving.</b> <b>(xv) Natural hair cultivation.</b>	<b>200</b>	<b>400</b>	<b>600</b>
<b>(c)</b>	<b>Health and safety related to esthetic services that include the following topics:</b> <b>(i) Anatomy and physiology.</b> <b>(ii) Chemical safety.</b> <b>(iii) Diseases and disorders.</b>	<b>50</b>	<b>50</b>	<b>100</b>



	(iv) Laws and Rules. (v) Occupational safety. (vi) Personal Hygiene. (vii) Sanitation. (viii) Equipment, supply, and tool safety.			
(d)	Esthetic services that include the following topics: (i) Beautifying the skin using cosmetic preparations, chemicals, and liquids, including body wrapping. (ii) Cleansing the skin with hands and equipment. (iii) Temporary hair removal. (iv) Facials, makeup, and eyelashes.	125	175	300
(e)	Health and safety related to manicuring services that include the following topics: (i) Anatomy and physiology. (ii) Chemical safety. (iii) Diseases and disorders. (iv) Laws and Rules. (v) Occupational safety. (vi) Personal Hygiene. (vii) Sanitation. (viii) Equipment, supply, and tool safety.	50	50	100
(f)	Manicuring services that include the following: (i) Artificial nails, extensions, and repairs. (ii) Manicuring. (iii) Pedicuring.	125	175	300
<b>Total Hours</b>		<b>625</b>	<b>875</b>	<b>1500</b>

(2) Students and apprentices who are enrolled on or after August 1, 2020, in the study of electrology shall complete a curriculum pursuant to the following table:

TABLE 12

	Subject	Theory Hours	Practical Application Hours	Total Hours
(a)	Health and safety related to electrology	50	50	100

	<b>services that include the following topics:</b> <b>(i) Anatomy and physiology.</b> <b>(ii) Chemical safety.</b> <b>(iii) Diseases and disorders.</b> <b>(iv) Laws and Rules.</b> <b>(v) Occupational safety.</b> <b>(vi) Personal Hygiene.</b> <b>(vii) Sanitation.</b> <b>(viii) Equipment, supply, and tool safety.</b>			
<b>(b)</b>	<b>Electrology services that includes the topic of removal of the hair with electricity.</b>	<b>125</b>	<b>175</b>	<b>300</b>
<b>Total Hours</b>		<b>175</b>	<b>225</b>	<b>400</b>

**(3) Students and apprentices who are enrolled on or after August 1, 2020, in the study of esthetics shall complete a curriculum pursuant to the following table:**

**TABLE 13**

	<b>Subject</b>	<b>Theory Hours</b>	<b>Practical Application Hours</b>	<b>Total Hours</b>
<b>(a)</b>	<b>Health and safety related to esthetic services that include the following topics:</b> <b>(i) Anatomy and physiology.</b> <b>(ii) Chemical safety.</b> <b>(iii) Diseases and disorders.</b> <b>(iv) Laws and Rules.</b> <b>(v) Occupational safety.</b> <b>(vi) Personal Hygiene.</b> <b>(vii) Sanitation.</b> <b>(viii) Equipment, supply, and tool safety.</b>	<b>50</b>	<b>50</b>	<b>100</b>
<b>(b)</b>	<b>Esthetic services that include the following topics:</b> <b>(i) Beautifying the skin using cosmetic preparations, chemicals, and liquids, including body wrapping.</b> <b>(ii) Cleansing the skin with hands and equipment.</b> <b>(iii) Temporary hair removal.</b> <b>(iv) Facials, makeup, and eyelashes.</b>	<b>125</b>	<b>175</b>	<b>300</b>

<b>Total Hours</b>	<b>175</b>	<b>225</b>	<b>400</b>
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**(4) Students and apprentices who are enrolled on or after August 1, 2020, in the study of manicuring shall complete a curriculum pursuant to the following table:**

**TABLE 14**

<b>Subject</b>		<b>Theory Hours</b>	<b>Practical Application Hours</b>	<b>Total Hours</b>
<b>(a)</b>	<b>Health and safety related to manicuring services that include the following topics:</b> <b>(i) Anatomy and physiology.</b> <b>(ii) Chemical safety.</b> <b>(iii) Diseases and disorders.</b> <b>(iv) Laws and Rules.</b> <b>(v) Occupational safety.</b> <b>(vi) Personal Hygiene.</b> <b>(vii) Sanitation.</b> <b>(viii) Equipment, supply, and tool safety.</b>	<b>50</b>	<b>50</b>	<b>100</b>
<b>(b)</b>	<b>Manicuring services that include the following topics:</b> <b>(i) Artificial nails, extensions, and repairs.</b> <b>(ii) Manicuring.</b> <b>(iii) Pedicuring.</b>	<b>125</b>	<b>175</b>	<b>300</b>
<b>Total Hours</b>		<b>175</b>	<b>225</b>	<b>400</b>

**(5) Students and apprentices who are enrolled on or after August 1, 2020, in the study of natural hair cultivation shall complete a curriculum pursuant to the following table:**

**TABLE 15**

<b>Subject</b>		<b>Theory Hours</b>	<b>Practical Application Hours</b>	<b>Total Hours</b>
<b>(a)</b>	<b>Health and safety related to natural hair cultivation that include the following</b>	<b>50</b>	<b>50</b>	<b>100</b>

	<b>topics:</b> <b>(i) Anatomy and physiology.</b> <b>(ii) Chemical safety.</b> <b>(iii) Diseases and disorders.</b> <b>(iv) Laws and Rules.</b> <b>(v) Occupational safety.</b> <b>(vi) Personal Hygiene.</b> <b>(vii) Sanitation.</b> <b>(viii) Equipment, supply, and tool safety.</b>			
<b>(b)</b>	<b>Natural hair cultivation services that include the following topics:</b> <b>(i) Braiding.</b> <b>(ii) Extending.</b> <b>(iii) Locking.</b> <b>(iv) Twisting.</b> <b>(v) Weaving.</b> <b>(vi) Wrapping.</b>	<b>125</b>	<b>175</b>	<b>300</b>
<b>Total Hours:</b>		<b>175</b>	<b>225</b>	<b>400</b>

**R 338.2169b Cosmetologist instructor and cosmetologist limited instructor curriculum; electrologist instructor, limited electrologist instructor, and limited specialist instructor curriculum.**

**Rule 69b. (1) Students who are enrolled on or after August 1, 2020, in the study of cosmetology instructor or cosmetology limited instructor shall complete a curriculum pursuant to the following table:**

**TABLE 16**

	<b>Subject</b>	<b>Theory Hours</b>	<b>Practical Application Hours</b>	<b>Total Hours</b>
<b>(a)</b>	<b>Orientation and review of the cosmetology curriculum.</b>	<b>25</b>	<b>50</b>	<b>75</b>
<b>(b)</b>	<b>Introduction to teaching.</b>	<b>30</b>	<b>0</b>	<b>30</b>
<b>(c)</b>	<b>Teaching skills that include the following topics:</b> <b>(i) Course outlining and development.</b> <b>(ii) Lesson planning.</b> <b>(iii) Teaching techniques.</b> <b>(iv) Teaching aids.</b>	<b>80</b>	<b>85</b>	<b>165</b>

	(v) Developing, administering, and grading examinations.			
(d)	Administration skills that include the following topics: (i) Laws and rules. (ii) Record keeping. (iii) School administration.	15	10	25
(e)	Teaching theory and practical hours that includes the following topics: (i) Assisting in the clinic and theory classrooms. (ii) Practice teaching in the clinic and theory classrooms.	0	205	205
<b>Total Hours:</b>		<b>150</b>	<b>350</b>	<b>500</b>

(2) Students who are enrolled on or after August 1, 2020, in the study of electrology instructor, electrology limited instructor, esthetics limited specialist instructor, manicuring limited specialist instructor, or natural hair cultivation limited specialist instructor shall complete a curriculum pursuant to the following table:

TABLE 17

	Subject	Theory Hours	Practical Application Hours	Total Hours
(a)	One of the following: (i) For an electrology instructor or electrology limited instructor, orientation and review of the electrology curriculum. (ii) For an esthetics limited specialist instructor, orientation and review of the esthetician curriculum. (iii) For a manicuring limited specialist instructor, orientation and review of the manicuring curriculum. (iv) For a natural hair cultivation limited specialist instructor, orientation and review of the natural hair cultivation curriculum.	10	15	25

(b)	<b>Introduction to teaching.</b>	<b>30</b>	<b>0</b>	<b>30</b>
(c)	<b>Teaching skills that include the following topics:</b> <b>(i) Course outlining and development.</b> <b>(ii) Lesson planning.</b> <b>(iii) Teaching techniques.</b> <b>(iv) Teaching aids.</b> <b>(v) Developing, administering, and grading examinations.</b>	<b>80</b>	<b>85</b>	<b>165</b>
(d)	<b>Administration skills that include the following topics:</b> <b>(i) Laws and rules.</b> <b>(ii) Record keeping.</b> <b>(iii) School administration.</b>	<b>15</b>	<b>10</b>	<b>25</b>
(e)	<b>Teaching theory and practical hours that includes the following topics:</b> <b>(i) Assisting in the clinic and theory classrooms.</b> <b>(ii) Practice teaching in the clinic and theory classrooms.</b>	<b>0</b>	<b>55</b>	<b>55</b>
<b>Total Hours</b>		<b>135</b>	<b>165</b>	<b>300</b>

## PART 7. HEALTH AND SAFETY

R 338.2171 Establishment and school **requirements**; ~~compliance with codes, rules, and regulations required.~~

Rule 71. (1) ~~An owner of an establishment or school shall ensure that the establishment or school have all of the following:~~ **An establishment or school shall have and maintain all of the following:**

- (a) An adequate supply of running hot and cold water.
- (b) ~~Adequate electrical outlets and wiring to supply all electrical equipment used.~~ **Adequate ventilation to prevent the concentration of chemical vapors and strong odors.**
- (c) ~~Adequate lighting and ventilation in all rooms.~~ **Containers for holding used towels, capes, and neck strips.**
- (d) ~~Floors, walls, and ceilings, which shall be maintained in good condition.~~ **An adequate amount of cleaning, disinfecting, and sterilizing equipment and supplies necessary to meet the sanitation requirements of these rules.**
- (e) ~~A source of drinking water in an area other than that used to mix chemicals.~~ **The manufacturer-labeled container of each disinfectant and sterilant that is used.**

(f) Covered waste containers that are large enough to contain 1 day's accumulation of waste materials.

**(g) If services are performed that involve fusing hair with an open flame, at least 1 multi-purpose fire extinguisher that is labeled by the manufacturer as suitable for use on class a, b, and c fires. The fire extinguisher shall be located within 20 feet of where the open flame is used.**

**(h) At least one first aid kit that is labeled by the manufacturer as meeting the American National Standards Institute (ANSI) and International Safety Equipment Association (ISEA) American national standard - minimum requirements for workplace first aid kits and supplies. A first aid kit labeled by the manufacturer with a stamp indicating "ANSI/ISEA Z308.1" shall be considered to have satisfied the requirement of this rule.**

**(i) If a chair, bed, table, headrest, or other station is used for providing services to patrons, it must be made of, or covered in, a non-porous material that can be disinfected.**

**(2) An establishment or school shall comply with all of the following minimum operational requirements:**

**(a) ~~Local building codes.~~ Maintain all areas in a safe and sanitary condition.**

**(b) ~~Local and state health rules.~~ Dispose of vaporous chemical waste materials pursuant to the manufacturer's recommendations.**

**(c) ~~Local fire prevention and fire safety rules.~~ Disinfect waste containers at least once every 24 hours unless lined with a plastic bag that is disposed of each time the waste container is emptied.**

**(d) ~~Applicable industrial, occupational, safety, and health regulations.~~ Dispose of all single-use tools and supplies after use on a patron.**

**(e) Store clean tools and supplies in covered containers and separate from used tools and supplies.**

**(f) Dispose towels, capes, and neck strips used on a patron in a container for used items.**

**R 338.2171a Disinfecting and sterilizing requirements; non-electrical and electrical tools; towels, capes, and neck strips; chairs, headrests, tables, and beds; semi-solid substances; pedicuring basins; shampoo basins; dusters and brushes.**

**Rule 71a. (1) Unless otherwise provided under this rule, all non-electrical tools that are not disposed shall be disinfected after each use on a patron in the following sequential manner:**

**(a) Remove all visible debris.**

**(b) Disinfect using either of the following methods:**

**(i) Full immersion in a wet-sanitizer for not less than 10 minutes or the period recommended by the manufacturer of the disinfectant.**

**(ii) Scrub all surfaces with a disinfectant wipe or a disinfectant spray and clean towel.**

**(c) Fully dry by air or with a clean towel.**

**(2) Unless otherwise provided under this rule, all removeable parts of an electrical tool shall be disinfected after each use on a patron in the following sequential manner:**

- (a) Remove all visible debris.**
- (b) Disinfect using either of the following methods:**
  - (i) Full immersion in a wet-sanitizer for not less than 10 minutes or the period recommended by the manufacturer of the disinfectant.**
  - (ii) Scrub all surfaces with a disinfectant wipe or a disinfectant spray and clean towel.**
- (c) Fully dry by air or with a clean towel before storing in a clean place such as a stand, hook, or on a clean towel covered by a clean towel. Electrical items with a cord shall not be stored in a container used for storing other clean items.**
- (3) Tools and supplies that go beneath the top layer of the skin shall be sterilized after each use in the following sequential manner:**
  - (a) Remove all visible debris.**
  - (b) Sterilize using either of the following methods:**
    - (i) Full immersion in a liquid sterilant for not less than 10 minutes or the period recommended by the manufacturer of the sterilant.**
    - (ii) Sterilize in an autoclave pursuant to the autoclave manufacturer's instructions.**
  - (4) Towels, capes, and neck strips shall be machine washed with a detergent in water of not less than 160 degrees Fahrenheit for not less than 25 minutes during a wash and rinse cycle. The following exceptions and presumption apply to this subrule:**
    - (a) A detergent registered as a disinfectant with the EPA shall not be required.**
    - (b) Machine washing shall not be required for plastic or nylon capes that are disinfected after each use by scrubbing all surfaces using a disinfectant wipe or a disinfect spray and clean towel.**
    - (c) Towels, capes, and neck strips laundered through commercial laundry services are presumed to satisfy the requirements of subrule (4) of this rule.**
  - (5) Chairs, headrests, tables, beds, and other stations that come in direct contact with a patron's skin shall be disinfected after use on a patron in the following sequential manner:**
    - (a) Remove all visible debris.**
    - (b) Scrub all surfaces with a disinfectant wipe or a disinfectant spray and clean towel.**
  - (6) All semi-solid substances, including, but not limited to, waxes, creams, lotions, oils, and powders shall be stored in a covered container and removed by using a clean spatula or single-use spatula that is disposed after use on a patron unless it is dispensed from a shaker dispenser that prevents contact with the skin.**
  - (7) After each use, a basin used by a patron for pedicuring services shall be disinfected in the following sequential manner:**
    - (a) Drain all water from the basin.**
    - (b) Remove all visible debris.**
    - (c) Circulate a disinfectant in the basin for not less than 10 minutes or the period recommended by the manufacturer of the disinfectant.**
    - (d) Drain, rinse and fully dry by air or with a clean towel.**
    - (e) If the basin contains a screen or other removable parts, the screen and removeable parts must be disinfected in the following sequential manner:**



- (i) Remove all visible debris.
- (ii) Disinfect using either of the following methods:
  - (A) Full immersion in a wet-sanitizer for not less than 10 minutes or the period recommended by the manufacturer of the disinfectant.
  - (B) Scrub all surfaces with a disinfectant wipe or a disinfectant spray and clean towel.
- (iii) Rinsing with water and fully dry by air or with a clean towel.
- (8) A basin that uses a liner that is disposed of after each use by a patron and that prevents water and skin from contacting the basin is not required to be disinfected pursuant to subrule (7). However, a screen and any other removable parts that contact the water or skin shall be disinfected pursuant to subrule (7) of this rule.
- (9) Shampoo bowls shall be disinfected after each use in the following sequential manner:
  - (a) Remove all visible debris.
  - (b) Scrub all surfaces with a disinfectant wipe or disinfectant spray and clean towel.
- (10) Neck and nail dusters and other brushes not included under subrule (11) of this rule shall be disinfected after each use in the following sequential manner:
  - (a) Remove all visible debris.
  - (b) Immersion in a wet sanitizer for not less than 10 minutes or the period recommended by the manufacturer of the disinfectant.
- (11) Natural fiber, facial, acrylic, gel, nail-art, and makeup brushes shall be cleaned after each use in the following sequential manner:
  - (a) Remove all visible debris.
  - (b) Fully immersing in a wet-sanitizer for at least 10 minutes or the period recommended by the manufacturer of the disinfectant.

**R 338.2171b Patron protection.**

**Rule 71b.** A licensee, student, or apprentice shall satisfy all of the following:

- (a) Ensure his or her attire and hands are kept sanitary.
- (b) Apply antiseptic to his or her hands before performing electrology, manicuring, or skin care services.
- (c) Clean tools, equipment, and supplies that are not disposed after each use on a patron pursuant to R 338.2171a.
- (d) Store clean tools and supplies in covered containers and separate from used tools and supplies.
- (e) Use clean tools, equipment, and supplies on patrons.
- (f) Dispose of all single-use tools and supplies after each use on a patron.
- (g) Once hair care services are completed on a patron, remove any hair clippings from the floor.

~~R 338.2173 Practice areas; chairs and work stations; sinks, tubs, spas, showers, baths, and shampoo bowls. Rescinded.~~

~~Rule 73. (1) The licensee or owner of an establishment or school shall keep the establishment or school clean, safe, and sanitary at all times, disposing of temporary~~

waste materials, including, but not limited to, hair clippings, paper, and tissues, after servicing a patron.

~~—(2) The licensee or owner of an establishment or school shall keep chairs and work station surfaces clean and sanitary at all times, covering the headrest of a patron chair and the working surface of any table or chair with fresh, clean paper, linen, or cloth before the chair or table is used.~~

~~—(3) The licensee or owner of an establishment or school shall keep sinks, tubs, spas, showers, baths, and shampoo bowls clean and sanitary at all times and shall thoroughly cleanse and sanitize sinks, tubs, spas, showers, baths, and shampoo bowls immediately after each use.~~

R 338.2176 Equipment, tools, implements, and supplies; dryer hoods; removable parts of certain equipment; electrical equipment. **Rescinded.**

~~—Rule 76. (1) The licensee or owner of an establishment or school shall keep all equipment, tools, implements, and supplies, including all of the following, clean and sanitary at all times., and if the equipment, tools, implements, or supplies are intended for use on more than 1 patron, then the licensee or owner shall sanitize the equipment, tools, implements, or supplies pursuant to rules promulgated by the department:~~

~~—(a) Combs.~~

~~—(b) Brushes.~~

~~—(c) Rollers.~~

~~—(d) Rods.~~

~~—(e) Clips.~~

~~—(f) Hair nets.~~

~~—(g) Razors.~~

~~—(h) Shears.~~

~~—(i) Hair pins.~~

~~—(j) Hair coverings.~~

~~—(k) Nippers.~~

~~—(l) Pushers.~~

~~—(m) Extractors.~~

~~—(n) Electrodes.~~

~~—(2) The licensee or owner of an establishment or school shall ensure all of the following:~~

~~—(a) Dryer hoods are clean and sanitary.~~

~~—(b) Removable parts of equipment designed to touch the skin, hair, or nails shall be removed and sanitized according to rules promulgated by the department.~~

~~—(c) The main body of electrical equipment is clean and sanitary.~~

~~—(d) Electrical equipment and apparatus is used and maintained in accordance with the manufacturer's recommendations.~~

R 338.2178 Creams and other semisolid substances; fluids and powders; reactive chemical supplies. **Rescinded.**

~~Rule 78. (1) The licensee or owner of an establishment or school shall ensure all of the following:~~

- ~~-(a) Creams and other semisolid substances shall be removed from containers with clean sanitary spatulas and shall be covered when not in use.~~
- ~~-(b) Fluids and powders used on a patron are dispensed from a bottle or shaker type dispenser.~~
- ~~-(c) Reactive chemical supplies are used in accordance with the manufacturer's recommendations.~~

**R 338.2179 Capes and hair cloths; towels and linens. Rescinded.**

~~Rule 79. (1) The licensee shall place a clean towel, neck strip, or other protection around the patron's neck when using a cape or hair cloth on a patron, to prevent the cape or hair cloth from touching the skin.~~

~~-(2) The licensee or owner of an establishment or school shall ensure all of the following:~~

- ~~-(A) A towel or linen is laundered after being used on a patron.~~
- ~~-(B) Clean towels and linens are stored in a closed cabinet or drawer.~~
- ~~-(C) Soiled towels and linens are stored in a covered container until laundered.~~

**R 338.2179a Sanitizing procedures generally. Rescinded.**

~~Rule 79a. (1) The licensee or owner of an establishment or school shall sanitize equipment, tools, implements and supplies that will not be damaged by immersion in water using all of the following steps:~~

- ~~-(a) Thoroughly washing in a detergent solution.~~
- ~~-(b) Rinsing in clean water.~~
- ~~-(c) Completely immersing in a wet sanitizer for the period of time recommended by the manufacturer of the disinfectant used.~~
- ~~-(d) Rinsing in clean water and allowing to air dry.~~
- ~~-(2) The licensee or owner of an establishment or school shall sanitize other equipment, tools, implements, and supplies by wiping with a disinfectant solution.~~
- ~~-(3) The licensee or owner of an establishment or school shall sanitize sharp edged tools, including the blades of electrical clippers, by wiping with a 70% alcohol solution after each use.~~
- ~~-(4) The licensee or owner of an establishment or school shall ensure that, after sanitization, the equipment, tools, implements, and supplies are put in a dry sanitizer, closed cabinet or drawer, or covered container.~~

**R 338.2179b Personal hygiene. Rescinded.**

~~Rule 79b. (1) A licensee shall do all of the following:~~

- ~~-(a) Keep attire clean and sanitary when services are being rendered.~~
- ~~-(b) Wash his or her hands immediately before and after serving each patron.~~
- ~~-(c) Apply antiseptic after washing his or her hands when manicuring or electrology services are to be performed.~~
- ~~-(d) Request that a patron for manicure services wash his or her hands before beginning the service.~~

**R 338.2179c Manicuring implements and work tables. Rescinded.**

~~Rule 79c. (1) A licensee or owner shall ensure all of the following:~~

- ~~-(a) Manicuring implements are kept in a jar-type wet sanitizer.~~
- ~~-(b) Manicuring tables are clean and sanitary at all times and tables are wiped with a disinfectant solution before each use.~~
- ~~-(c) Porous materials, that cannot be sanitized, including, but not limited to, abrasive boards/blocks/buffers, orangewood sticks, or pumice stones, are used on only 1 patron.~~
- ~~-(d) Vaporous chemical waste materials are disposed of by placing the materials in an airtight, covered waste container.~~
- ~~-(2) The owner of an establishment or school shall ensure that there is adequate ventilation or filtration to prevent the concentration of chemical vapors and strong odors.~~

R 338.2179d ~~Electrology sanitation and sterilization procedures.~~ **Rescinded.**

- ~~-Rule 79d. (1) For electrology services, a licensee shall use only the following sterile equipment:~~
- ~~-(a) Tweezers.~~
- ~~-(b) Scissors.~~
- ~~-(c) Needles.~~
- ~~-(d) Needle holder tips.~~
- ~~-(e) Probes.~~
- ~~-(f) Removable needle caps.~~
- ~~-(2) After using equipment on a patron, a licensee shall sanitize the equipment specified in subrule (1) of this rule utilizing all of the following steps:~~
- ~~-(a) Soaking in liquid, protein-dissolving enzyme detergent for the period of time recommended by the manufacturer of the enzyme detergent used or thoroughly soaking in a soap and water solution for not less than 20 minutes.~~
- ~~-(b) Rinsing in clean water and drying with sanitary paper towels.~~
- ~~-(c) Placing in an ultrasonic cleaner for not less than 5 minutes or wiping with 70% alcohol.~~
- ~~-(d) Rerinsing in clean water and drying with sanitary paper towels.~~
- ~~-(3) After equipment is sanitized, a student, apprentice, or licensee shall sterilize the items specified in subrule (1) of this rule by placing the items in an autoclave or dry heat sterilizer for the period of time recommended by the manufacturer of the autoclave or dry heat sterilizer.~~
- ~~-(4) After sterilizing all nonprepackaged equipment, a licensee shall wrap or package the tools, implements, and supplies.~~
- ~~-(5) A licensee shall keep all sterilized equipment in a dry sanitizer, closed cabinet or drawer, or covered container.~~
- ~~-(6) A licensee shall properly discard disposable needles after being used on a patron.~~

R 338.2179f ~~Open flame fusing.~~ **Rescinded.**

- ~~-Rule 79f. If a cosmetologist or natural hair culturist fuses hair using an open flame, then the owner or practitioner of the establishment or school shall ensure that a minimum of 1 abc-type fire extinguisher is located not more than 20 feet from the work station.~~

R 338.2179g Student, apprentice, and licensee; prohibitions.

- Rule 79g. (1) A student, apprentice, or licensee shall not do any of the following, and a licensee shall not allow another to do any of the following:

- (a) Use or possess methyl methacrylate monomers.
- (b) Abrade, roughen, buff, or file the nail plate to the extent that the nail bed is exposed or that deeply filed trenches or ridges in the nail plate are created.
- (c) Use a nail white pencil.
- (d) Use lump alum or a styptic pencil to stop bleeding.
- (e) Carry any equipment, tools, implements, or supplies in the pocket of a uniform.
- (f) Use the same powder puffs, makeup brushes, or cosmetic pencils on more than 1 patron.
- (g) Use an ultraviolet ray electrical sanitizer **to disinfect or sterilize items. However, items that were disinfected or sterilized pursuant to R 338.2171a may be stored in an ultraviolet ray electrical sanitizer unless the items placed in the sanitizer have been sanitized according to the rules promulgated by the department.**
- (h) Use or possess a blade in the practice of manicuring or pedicuring.
- (i) ~~Provide services that require a license without posting a current, unexpired, and valid license or permit for that person in the establishment where cosmetology services are being rendered.~~ **Perform services that are limited to the scope of practice of a licensed health profession regulated under Article 15 of the public health code, 1978 PA 368, MCL 333.1101 to 333.25211, unless he or she is performing a service that is delegated to him or her under section 16215 of the public health code, MCL 333.16215.**
- (j) Fail to provide proof of identity with a picture I.D. or alternative acceptable to the department at the time of an inspection, if requested by a department representative performing an inspection of the licensed establishment.
- (k) **Allow a member of the public to drink from a water source used for mixing chemicals.**
- (2) An ~~aesthetician~~ **esthetician** shall not use razors, scissors, or clippers on the face or head of a patron.
- (3) A natural hair cultivation student, apprentice, or practitioner shall not use reactive chemicals or perform any service included in the practice of cosmetology as defined in section 1201 of the act, **MCL 339.1201.**
- (4) **A licensed cosmetologist who practices outside of a cosmetology establishment on a patient in a hospital, nursing home, convalescent home, or similar facility, or on a person requiring home care because of an illness or infirmity pursuant to section 1217(c) of the act, MCL 339.1217(c), shall provide services only to the ill or infirmed patient or person requiring home care.**

R 338.2179h ~~Advertising; use of false, confusing, or misleading statements prohibited.~~  
**Rescinded.**

~~Rule 79h. A licensee or owner shall not use false, confusing, or misleading statements in advertising.~~